

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

ANTHONY SPENCER GREEN SR.,

Plaintiff,

vs.

CREIGHTON/CHI HEALTH, ANNIE  
E. KNIERIM, VIRGINIA J. SMITH,  
REBECCA STORMONT, and CHI  
HEALTH,

Defendants.

**8:19CV84**

**MEMORANDUM  
AND ORDER**

Plaintiff Anthony Spencer Green Sr., a non-prisoner, filed a Motion for Leave to Proceed in Forma Pauperis (“IFP”) ([filing no. 2](#)) and what the court construes as a Motion for Summons ([filing no. 3](#)). Upon review of Plaintiff’s IFP motion, the court finds that Plaintiff is financially eligible to proceed in forma pauperis.

The court is required to review in forma pauperis complaints to determine whether summary dismissal is appropriate. *See* [28 U.S.C. § 1915\(e\)\(2\)](#). The court must dismiss a complaint or any portion thereof that states a frivolous or malicious claim, that fails to state a claim upon which relief may be granted, or that seeks monetary relief from a defendant who is immune from such relief. [28 U.S.C. § 1915\(e\)\(2\)\(B\)](#). This matter may not proceed to service of process unless so ordered by the court after conducting this initial review. Accordingly, Plaintiff’s Motion for Summons ([filing no. 3](#)) is denied.

IT IS THEREFORE ORDERED that:

1. Plaintiff's Motion for Leave to Proceed in Forma Pauperis ([filing no. 2](#)) is granted, and the Complaint shall be filed without payment of fees.
2. Plaintiff's Motion for Summons ([filing no. 3](#)) is denied.
3. Plaintiff is advised that the next step in his case will be for the court to conduct an initial review of his claims to determine whether summary dismissal is appropriate under [28 U.S.C. § 1915\(e\)\(2\)](#). The court will conduct this initial review in its normal course of business.

Dated this 22nd day of February, 2019.

BY THE COURT:

*s/ Richard G. Kopf*  
Senior United States District Judge